

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

CARLOS AGUILAR,	:	
	:	
Petitioner	:	
	:	
vs.	:	1:05-CV-135 (WLS)
	:	
STATE OF GEORGIA,	:	
CALHOUN STATE PRISON,	:	
FULTON COUNTY,	:	
KEVIN ROBERTS, Warden	:	
	:	PROCEEDINGS UNDER 28 U.S.C. §2254
	:	<u>BEFORE THE U.S. MAGISTRATE JUDGE</u>
Respondents.	:	

ORDER

Petitioner **CARLOS AGUILAR**, an inmate at Calhoun State Prison, in Morgan, Georgia, filed in this court, the above-captioned habeas corpus petition under 28 U.S.C. § 2254. Petitioner challenges his 2003 conviction in the Superior Court of Fulton County, Georgia. Fulton County is located in the Northern District of Georgia. 28 U.S.C. § 90(a)(2).

While 28 U.S.C. § 2241(d) permits a state prisoner's habeas petition to be filed in the district within which the prisoner is confined, and further permits discretionary transfer by the court from one such district to the other, it is the long-standing policy and practice of the United States District Courts for the Middle, Northern, and Southern Districts of Georgia to cause all such petitions to be filed in or transferred to the district within which the state prisoner was convicted. Adherence to this practice and policy results in each district court considering habeas matters coming only from state courts within its jurisdiction and in an equitable distribution of habeas cases between the districts of this state.

Consistent with this policy and practice, the subject state prisoner habeas corpus petition is hereby **TRANSFERRED** to the Northern District of Georgia, Atlanta Division along with all orders, motions, affidavits, pleadings and exhibits (if any) filed herein for further proceedings under § 2254.

SO ORDERED, this 5th day of October, 2005.

Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE

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